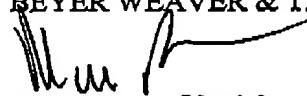


REMARKS

Claims 1, 17, 20, 30, and 42 have been amended to clarify the invention, and claims 4, 11, 20, 26, 33, 39, and 45 have been cancelled. Claims 1-3, 5-10, 12-19, 21-25, 27-32, 34-38, and 40-44 remain pending.

The Examiner states that claims 9-13, 25-27, and 38-40 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The independent claims have been amended to include the limitation of allowable claim 11, except that the phrase "the determined information is an estimated size increase..." from claim 11 has been modified slightly to recite that "the determined information includes an estimated size increase." It is respectfully submitted that not all the limitations of claim 11 are necessary to overcome the patentability rejection and were merely added to the independent claims to further clarify the invention and expedite prosecution. For example, the limitation "wherein the protocol parameter is decreased based on the determined information" that was added to the independent claims from allowable claim 11 distinguishes the invention from the cited references independently of the other limitations of claim 11.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
REYER WEAVER & THOMAS, LLP

Mary Ramos Olynick
Reg. 42,963

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100